

საქართველოს ახალგაზრდა იურისტთა ასოციაცია GEORGIAN YOUNG LAWYERS' ASSOCIATION



GYLA's Georgian Media Legal Defense Center Responds to the Recent Developments around PIK TV Company

Since October 12, 2012, the work of PIK TV Company has been disrupted and currently its journalists are unable to conduct their professional activities. The TV Company is broadcasting material prepared by them previously and the audience no longer has access to news through PIK TV Company. Pursuant to the government

procurement agreement #3-1, dated January 13, 2012, concluded between the legal entity of public law Public Broadcaster and PIK TV Company Ltd., PIK must provide Channel 3 (First Caucasus Channel) with TV-content produced in Russian language.

According to the public broadcaster, by staging a silent protest live on air and by unauthorized restoration of the channel [] broadcast via satellite on October 13, 2012, PIK grossly violated the agreement. This was communicated to PIK [] management by the public broadcaster [] general director on October 16. Further, according to the written correspondence of Alexandre Parulava, PIK [] General Director, the contract was suspended at the initiative of PIK TV Company.

We believe that documents that have been published raise a number of questions about the public broadcaster as well as the management of PIK TV Company.

Amid the ambiguity there is a risk that the public broadcaster will fail to fulfill its legal obligations; in particular, under para. []A and []A of Article 16 of the Law of Georgia on Broadcasting, the public broadcaster must allocate at least 25% of its airtime to programs prepared by independent legal entities of private law, procured pursuant to the provisions of the Law of Georgia on Government Procurement and the law of Georgia on Broadcasting. Further, the programs must reflect the existing ethnic, cultural, language, religious, age and gender diversity in the society,

It must also be considered that straining of the relations between PIK and the public broadcaster also stems from financial issues. In view of the high public interest, we believe it is important for the State Audit Office to examine whether finances were spent purposefully by the parties. The public broadcaster as well as the management of PIK TV Company must bring clarity to this misunderstanding. Parties must resolve their issues without disrupting the broadcasting to prevent violation of rights of TV viewers and journalists.

GYLA [] Georgian Media Legal Defense Center stands ready to participate in discussions between the parties.